REMARKS

Claims 1-8 and 10 have been indicated as allowable by the Examiner. Claim 12 has been cancelled. Claims 1-8, 10-11, and 13-20 remain in the case for reconsideration. No new subject matter has been added.

Claim Rejections Under 35 USC §103

Claims 11-14 and 17 are rejected under 35 USC 103(a) as being unpatentable over Hepworth et al. (Pub No.: 2004/0073690) in view of Balakrishnan et al. (Pub No.: 2005/0036519).

Claims 15 and 16 are rejected under 35 USC 103(a) as being unpatentable over Hepworth et al. (Pub No.: 2004/0073690) in view of Balakrishnan et al. (Pub No.: 2005/036519) as applied to claim 11 above, and further in view of Teruhi et al. (Pub No.: 2003/0072269).

Claims 18 and 19 are rejected under 35 USC 103(a) as being unpatentable over Teruhi et al. (Pub No.: 2003/0072269), in view of Hepworth et al. (Pub No. 2004/0073690) and further in view of McDysan et al. (Pub No.: 2005/0117576).

Claim 20 is rejected under 35 USC 103(a) as being unpatentable over Teruhi et al. (Pub No.: 2003/0072269), in view of Hepworth et al. (Pub No. 2004/0073690) and McDysan et al. (Pub No.: 2005/0117576) as applied to claim 19 above, and further in view of Chu et al. (Pub No.: 2007/0286165).

The rejections are respectfully traversed. For example, with respect to claim 11, the Examiner alleges that Balakrishnan discloses inserting a time stamp into packets that identifies a non-zero amount of simulated media time for media content in the media payload that is not actually encoded into the media payload of the packets (paragraph 17).

Balakrishnan at paragraph 17 states: ". . . the Presentation Time Stamp (PTS) in the PES packet header indicates the time instants at which the associated audio or video presentation unit (<u>an audio or video frame</u>) of a given audio-visual program should be decoded and presented to the user. In other words, the PTS used in the TS packets 120 of Balakrishnan identify audio or video data that <u>is</u> actually encoded into the payload 123 of the TS packets 120.

Thus, Balakrishnan teaches away from inserting *a time stamp into the no-op media payload packets that identifies a non-zero amount of simulated media time for media content in the media payload that is <u>not</u> actually encoded into the media payload of the packets* as recited in claim 11.

However, claim 11 has been amended to include at least some elements similar to claim 1 that have been indicated as allowable by the Examiner. Accordingly, claim 11 is allowable for at least some of the same reasons as claim 1. Claims 13-17 depend on claim 11 and are therefore allowable for at least the same reasons as claim 11.
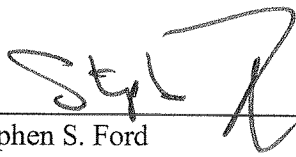
Claim 18 has been amended to include at least some elements similar to claim 1 that have been indicated as allowable by the Examiner. Accordingly, claim 18 is also allowable for at least some of the same reasons as claim 1. Claims 19-20 depend on claim 18 and are therefore also allowable for at least the same reasons as claim 18.

Conclusion

For the foregoing reasons, reconsideration and allowance of claims 1-20 of the application as amended is requested. The Examiner is encouraged to telephone the undersigned at (503) 224-2170 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

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